



Atty. Dkt. No. 034536-0839

**THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Benjamin L. MARGOLIS  
Title: METHODS AND COMPOSITIONS FOR TREATMENT OF BREAST CANCER  
Appl. No.: 10/679,694  
Filing Date: 10/07/2003  
Examiner: Unassigned  
Art Unit: Unassigned

**INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 CFR §1.56**

Commissioner for Patents  
PO Box 1450  
Alexandria, Virginia 22313-1450

Sir:

The USPTO has waived the requirement under 37 CFR 1.98(a)(2)(i) to submit copies of U.S. patents and U.S. patent application publications when citing and submitting an Information Disclosure Statements in a patent application filed after June 30, 2003 and in an international application that has entered the national stage under 37 USC §371 after June 30, 2003. Accordingly, copies of these types of documents are not being supplied in connection with this application. Reference is being made to Pre-OG Notice from Office of Patent Legal Administration dated July 25, 2003, *Information Disclosure Statements May Be Filed Without Copies of U.S. Patents and Published Applications in Patent Applications filed after June 30, 2003.*

Applicant submits herewith on Form PTO/SB/08 a listing of the documents cited by or submitted to the U.S. PTO in parent application Serial No. 09/458,631, filed 12/10/1999, which is a division of application Serial No. 08/472,595, filed 06/06/1995, which is a division of application Serial No. 08/207,575, filed 03/07/1994. As provided in 37 CFR §1.98(d), copies of the documents are not being provided since they were previously submitted to the United States Patent & Trademark Office in the above-identified parent applications.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicant does not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

**TIMING OF THE DISCLOSURE**


The listed documents are being submitted in compliance with 37 CFR §1.97(b), before the mailing date of the first Office Action on the merits.

Applicant respectfully requests that any listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Respectfully submitted,

Date February 12, 2004

By 

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Sheet		1	of	6	Application Number: 10/679,694 Filing Date: 10/07/2003 First Named Inventor: Benjamin L. Margolis Group Art Unit: Unassigned Examiner Name: Unassigned Attorney Docket Number: 034536-0839

FEB 12 2004

PATENT &amp; TRADEMARK

## U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code <sup>2</sup> (if known)			
	A1	5,196,446		LEVITZKI et al.	03-23-1993	
	A2	5,217,999		LEVITZKI et al.	06-08-1993	
	A3	5,352,660		PAWSON	10-04-1994	

## NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>6</sup>
	A4	BARGMAN et al., "The neu Oncogene Encodes for an Epidermal Growth Factor Receptor-Related Protein," <u>Nature</u> , 1986, pp. 226-230, Vol. 319	
	A5	BELLACOSA et al., "A Retroviral Oncogene, akt Encoding a Serine-Threonine Kinase Containing an SH2-Like Region," <u>Science</u> , 1991, pp. 274-277, Vol. 254	
	A6	BOWCOCK et al., "THRA1 and D17S183 Frank an Integral of <4 cM for the Breast-Ovarian Cancer Gene (BRCA1) on Chromosome 17q21," <u>Am. J. Hum. Genetics</u> , 1993, pp. 718-722, Vol. 52	
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	A9	CANTLEY et al., "Oncogenes and Signal Transduction," <u>Cell</u> , 1991, pp. 281-302. Vol. 64	
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	A12	<u>Current Protocols in Molecular Biology</u> , John Wiley & Sons, 1987, pp. 10.11.1-0.11.7	

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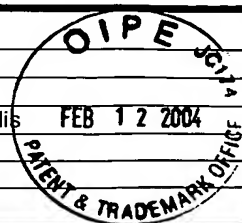
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	A13	DOWNWARD et al., "Close Similarity of Epidermal Growth Factor Receptor and v-erb-B Oncogene Protein Sequences," <u>Nature</u> , 1984, pp. 521-527, Vol. 307	
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	A24	KOCH et al., "SH2 and SH3 Domains: Elements That Control Interactions of Cytoplasmic Signaling Proteins," <u>Science</u> , 1992, pp. 668-674, Vol. 252	
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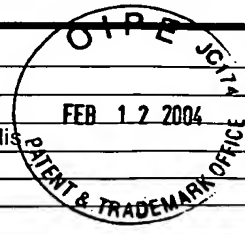
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	A36	MAYER et al., "A Novel Viral Oncogene with Structural Similarity to Phospholipase C," <u>Nature</u> , 1988, pp. 272-275, Vol. 332	
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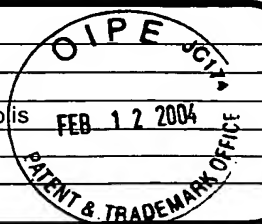
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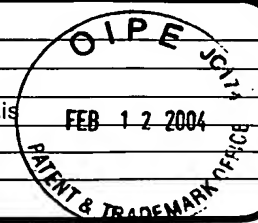
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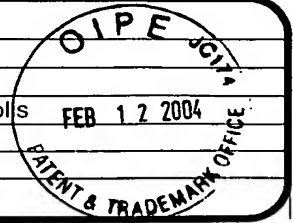
**INFORMATION DISCLOSURE  
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(use as many sheets as necessary)

Sheet	6	of	6
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**Complete if Known**

<b>Application Number</b>	10/679,694
<b>Filing Date</b>	10/07/2003
<b>First Named Inventor</b>	Benjamin L. Margolis
<b>Group Art Unit</b>	Unassigned
<b>Examiner Name</b>	Unassigned
<b>Attorney Docket Number</b>	034536-0839



## NON PATENT LITERATURE DOCUMENTS

[illegible]

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